United Nations S/2016/235

Security Council

Distr.: General
11 March 2016

Original: English

United States of America: draft resolution

The Security Council,

Recalling the purposes and principles of the Charter of the United Nations and *bearing in mind* its primary responsibility under the Charter for the maintenance of international peace and security,

Recalling the Statements by its President of 31 May 2005 (S/PRST/2005/21), 25 November 2015 (S/PRST/2015/22) and 31 December 2015 (S/PRST/2015/26), as well as its resolution 2242 (2015) and press statement of 18 August 2015,

Reaffirming that proper conduct by, and discipline over, all personnel deployed in United Nations peace operations are crucial to their effectiveness,

Stressing that sexual exploitation and abuse by United Nations peacekeepers undermines the implementation of peacekeeping mandates, as well as the credibility of United Nations peacekeeping, and *reaffirming* its support for the United Nations zero tolerance policy on all forms of sexual exploitation and abuse,

Expressing deep concern about the serious and continuous allegations and under-reporting of sexual exploitation and abuse by United Nations peacekeepers and non-United Nations forces, including military, civilian and police personnel, and *underscoring* that sexual exploitation and abuse, among other crimes and forms of serious misconduct, by any such personnel is unacceptable,

Recalling the primary responsibility of troop-contributing countries to investigate allegations of sexual exploitation and abuse by their personnel and of troop- and police-contributing countries to hold accountable, including through prosecution, where appropriate, their personnel for acts of sexual exploitation and abuse, taking into account due process,

Honouring the heroic work of tens of thousands of United Nations peacekeepers, *underscoring* that the United Nations should not let the actions of a few tarnish the achievements of the whole and *commending* the troop- and police-contributing countries that have taken steps to prevent, investigate and hold accountable their personnel for acts of sexual exploitation and abuse,

Welcoming the Secretary-General's continued efforts to implement and reinforce the United Nations zero tolerance policy on sexual exploitation and abuse, in particular to strengthen the Organisation's prevention, reporting, enforcement and remedial action in order to promote greater accountability,

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Welcoming the appointment by the Secretary-General of Jane Holl Lute as his Special Coordinator on Improving the United Nations Response to Sexual Exploitation and Abuse,

Taking note of the report of the High-level Independent Panel on Peace Operations (S/2015/446), the report of the Secretary-General entitled 'The Future of United Nations Peace Operations: Implementation of the Recommendations of the High-Level Independent Panel on Peace Operations' (A/70/357-S/2015/682), the report of the External Independent Review of the United Nations Response to Allegations of Sexual Exploitation and Abuse in the Central African Republic submitted on 17 December 2015 to the Secretary-General, the report of the Secretary-General of 17 September 2015 submitting the results of the Global Study on the implementation of resolution 1325 (S/2015/716), as well as the report of 4 March 2016 of the Secretary-General on Special measures for protection and prevention of sexual exploitation and abuse (A/70/729), and *taking note* of the recommendations contained therein related to the prevention and combating of sexual exploitation and abuse,

1. *Endorses* the decision of the Secretary-General to repatriate a particular military unit or formed police unit of a contingent when there is credible evidence of widespread or systemic sexual exploitation and abuse by that unit and *requests* the Secretary-General to give immediate and ongoing effect to this decision, including by urgently finalising his guidance to United Nations peacekeeping operations to implement this decision;

2. *Requests* the Secretary-General, when a particular troop-contributing country whose personnel are the subject of an allegation or allegations of sexual exploitation and abuse has not taken appropriate steps to investigate the allegation and/or when the particular troop- or police-contributing country has not held the perpetrators accountable or informed the Secretary-General of the progress of its investigations and/or actions taken, to replace all military units and/or formed police units of the troop- or police-contributing country in the United Nations peacekeeping operation where the allegation or allegations arose with uniformed personnel from a different troop- or police-contributing country, as applicable and further *requests* the Secretary-General to ensure that the replacement troop- or police-contributing country has upheld standards of conduct and discipline and appropriately addressed allegations against or confirmed acts, if any, of sexual exploitation and abuse by its personnel;

3. Consistent with paragraph 2 above regarding repatriation, *requests* the Secretary-General to assess whether a Member State has taken the appropriate steps to investigate, hold accountable and inform him of the progress of its investigations when determining whether that Member State should participate in other current or future United Nations peacekeeping operations;

4. *Requests* the Secretary-General to gather and preserve evidence ahead of investigations of sexual exploitation and abuse in United Nations peace operations with due consideration for the safety, security and confidentiality of victims, to ensure that the concerned United Nations peace operation takes immediate steps to prevent, including through risk assessments, future incidents of sexual exploitation and abuse, to strengthen the accessibility, coordination and independence of processes for complaint receipt and management and to assist victims, including by

maintaining confidentiality, helping to minimize trauma and facilitating access, as appropriate, to immediate care, medical and psychological support;

5. *Welcomes* the efforts of the Secretary-General to expand vetting of all United Nations peacekeeping personnel to ensure that they do not have a history of sexual misconduct in service with the United Nations and *reiterates* its support for the United Nations Human Rights Screening Policy;

6. *Expresses deep concern* over the continuing and serious allegations of sexual exploitation and abuse by United Nations peacekeepers in the United Nations Multidimensional Integrated Stabilisation Mission in the Central African Republic (MINUSCA), as well as in other United Nations peacekeeping operations and by non-United Nations forces;

7. *Urges* all non-United Nations forces authorised under a Security Council mandate to take adequate measures to prevent and combat impunity for sexual exploitation and abuse by their personnel;

8. *Calls upon* Member States deploying non-United Nations forces authorized under a Security Council mandate to take appropriate steps to investigate allegations of sexual exploitation and abuse, hold perpetrators accountable and repatriate units when there is credible evidence of widespread or systemic sexual exploitation or abuse by those units;

9. *Urges* all Member States to take concrete steps aimed at preventing and combating impunity for sexual exploitation and abuse by members of United Nations peace operations;

10. *Welcomes* the ongoing efforts by Member States to strengthen sexual exploitation and abuse pre-deployment training of troop and police contributors to United Nations peace operations, *urges* further efforts by all troop- and police-contributing countries to deliver robust sexual exploitation and abuse pre-deployment training in accordance with the terms of their memoranda of understanding and other agreements with the United Nations, *encourages* further assistance by Member States and multilateral partners to troop- and police-contributing countries in this regard and *welcomes* the decision of the Secretary-General to require certificates of compliance by troop- and police-contributors to this effect;

11. *Urges* all troop-contributing countries to take the steps necessary to conduct investigations of allegations of sexual exploitation and abuse by their personnel and to conclude such investigations as expeditiously as possible, in line with the Secretary-General's request, further *urges* all troop- and police-contributing countries to take appropriate steps to hold accountable those personnel responsible for sexual exploitation and abuse and to report to the United Nations fully and promptly on actions undertaken and *welcomes* the request by the Secretary-General for troop- and police-contributing countries to deploy national investigation officers in their contingents to support these efforts;

12. *Underscores* the critical importance that civilians, in particular women and children, in internally-displaced persons and refugee sites are protected from any form of abuse or exploitation, *requests* the Secretary-General, where applicable, to continue to take steps to enhance measures in United Nations peace operations against all forms of abuse and exploitation of civilians by any member of the United

Nations peace operation and *encourages* the Secretary-General to ensure that United Nations peace operations, as applicable, facilitate the identification of possible abuses and mitigate against the stigmatization of victims;

13. *Encourages* the appropriate United Nations mechanisms, including those related to Children and Armed Conflict, Women, Peace and Security and the Office of the High Commissioner for Human Rights, to continue to include allegations of sexual exploitation and abuse in their regular reporting to the Secretary-General and *calls upon* the Secretary-General to immediately inform the concerned Member State about any such allegations and to take steps to improve internal information-sharing within the United Nations regarding allegations of sexual exploitation and abuse.

United Nations A/ES-10/715–S/2016/236

General Assembly
Security Council

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11 March 2016

Original: English

General Assembly
Tenth emergency special session
Agenda item 5
Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Seventy-first year

Identical letters dated 10 March 2016 from the Chargé d'affaires a.i. of the Permanent Observer Mission of the State of Palestine to the United Nations addressed to the Secretary-General, the President of the General Assembly and the President of the Security Council

I am compelled to draw your attention to the very unstable situation in Occupied Palestine, including East Jerusalem, due to the ongoing breaches of international law, including humanitarian and human rights law, by Israel, the occupying Power. The persistence and intensity of such illegal actions seem to leave little doubt that Israel has interpreted the international community's continued inaction as a signal that it can continue with its illegal occupation and crimes against the Palestinian people without consequence.

One of the occupying Power's latest egregious crimes occurred at the so-called "Gush Etzion Junction", the entrance to the illegal settlement of "Gush Etzion" in the occupied West Bank. On 4 March 2016, as Amani Husni Sabatin, age 34, was driving in her car, Israeli occupying forces shot and killed her. In what has become the standard response, the occupying Power stated that Amani was an "imminent threat" and therefore they riddled her car with bullets. As on many other occasions, the occupying forces who executed Amani alleged that "a knife was found" in her car.

Amani was a married mother of four children, with her eldest being 14 years of age. One is thus compelled to ask: did Amani actually leave home that day with the inexplicable intention of never seeing her children again and leaving them motherless, or is this horrific incident just another example of the occupying Power fabricating a story in order to literally get away with murder? As more than 192 Palestinians have been killed, including 43 children and 9 women, since October 2015, we believe it is overdue for the international community to question such Israeli allegations clearly aimed at "justifying" the trigger-happy execution-style killings of Palestinian civilians, including children, without any serious review or investigations into these allegations. While there have been some individual acts of violence by Palestinians against occupying forces or illegal settlers on occupied

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land, all allegations cannot be accepted as fact just because the occupying Power keeps repeating such allegations and branding an entire people as "attackers" or as "terrorists".

It is important to note that, even back in October 2015, when the occupying Power first unleashed its recent aggression against the Palestinian people, Amnesty International called on Israel to stop its "unlawful" killings, saying that the group's investigations had found "at least four cases where Palestinians were deliberately shot dead when they posed no imminent threat". In a press release on 27 October 2015, Amnesty International stated that "there is mounting evidence that, as tensions have risen dramatically, in some cases Israeli forces appear to have ripped up the rulebook and resorted to extreme and unlawful measures" and that "we are increasingly seeing Israeli forces recklessly flouting international standards by shooting to kill in situations where it is completely unjustified".

One of the examples that Amnesty International has documented is the killing on 26 October 2015 of Sa'ad Mohammed Youssef al-Atrash, age 19, in the Old City of Al-Khalil, who was killed as he attempted to retrieve an ID card at the request of an Israeli soldier. The occupying Power labelled the incident an "attempted stabbing", but an eyewitness watching the events unfold from her balcony said that Mr. Al-Atrash had posed no threat when he was shot. One of the Israeli soldiers had asked him for ID and, as he reached into his pocket to grab his card, another Israeli soldier behind him shot him in his right side, she told Amnesty. The eyewitness said that he was shot six or seven times and bled profusely as he lay on the ground for about 40 minutes afterwards, while occupying forces failed to provide medical treatment. She also reported seeing Israeli occupying forces bring a knife and place it in the dying man's hand. The eyewitness went on to state that "then they put him on a stretcher and pushed him towards an ambulance but didn't put him in. By this time he looked extremely yellow and I thought that he was dead at that point. He remained in front of the ambulance for another 20 minutes before he was put inside it and taken away".

Amnesty International also documented the killing of Fadi Alloun, age 19, on 4 October 2015, from Issawiyya in Occupied East Jerusalem, who was shot and killed by so-called Israeli occupying forces in another apparent extrajudicial execution. The occupying Power said that he "had a knife in his hand when he was shot". However, video of the incident shows him instead being chased by a group of Israeli extremists before occupying forces arrived at the scene and shot him from some metres away, without attempting to arrest him. Israeli extremists cheered as his lifeless body lay on the street.

These are just two examples of killings in cold blood by Israeli occupying forces. Amnesty International correctly stated that "unfortunately, Israel's investigation systems have long served to perpetuate impunity for unlawful killings of Palestinians by Israeli military and police forces". It went on to state that "wilful killings of Palestinians in the Occupied Palestinian Territories are grave breaches of the Fourth Geneva Convention, over which all States can exercise universal jurisdiction". Since it is well established that, in over 90 per cent of cases, the occupying Power does not convict the perpetrators of such crimes, we call on the international community to act in accordance with international humanitarian law to hold Israel accountable for all such illegal actions against the Palestinian civilian

population under its occupation. As proven throughout history, accountability is surely a deterrent to continued perpetration of such crimes.

The incidents mentioned above are only a few of the countless violations being committed daily by Israel, the occupying Power, against the Palestinian people. Indisputably, Israel's belligerent military occupation is driven and sustained only by such illegal policies and practices, which affect every single Palestinian child, woman and man living under occupation, whether it be in the West Bank, including East Jerusalem, or in the Gaza Strip, where 1.8 million Palestinians continue to live in the world's largest prison, suffering massive collective punishment tantamount to a war crime.

It is in this connection that we wish to highlight the recent remarks made by Robert Piper, United Nations Deputy Special Coordinator for the Middle East Peace Process and Resident Coordinator and Humanitarian Coordinator for the Occupied Palestinian Territory. On 9 March 2016, at the launch of the Humanitarian Response Plan for 2016, he stressed that 1.6 million Palestinians in the Occupied Palestinian Territory are in need of food assistance, about 1 million of them in Gaza alone, a shocking figure in the context of this illegal half-century occupation and entirely man-made crisis. Among other regrettable facts, he also highlighted that around 90,000 people are still internally displaced from the 2014 war against Gaza and in need of major assistance. Mr. Piper also rightly clarified that "Israel's occupation is the main driver of humanitarian needs", and that "the fastest way to conclude the humanitarian operation in Palestine is to end the occupation". This fact should be heard loud and clear and must remain a top priority for the international community to finally achieve, for humanitarian assistance can never be a substitute for the fulfilment of inalienable rights and a viable and just solution to the question of Palestine as a whole.

Before concluding, I wish to draw attention to some of the most recent crimes perpetrated by Israel, the occupying Power, in the Occupied Palestinian Territory, including East Jerusalem, in the period since our last letter to you:

4 March 2016:

- Israeli occupying forces shot dead Amani Husni Sabatin (age 34), a Palestinian mother of four children, the eldest of whom is a 14-year-old daughter, near the illegal "Gush Etzion" settlement, south of Bethlehem.

5 March 2016:

- Israeli occupying forces targeted with gunfire a group of Palestinian farmers as they attempted to enter their agricultural land in the Al-Zaytoun neighbourhood, south-east of Gaza City.
- Occupying forces detained two Palestinians, including a child, in the Bethlehem area, and summoned five others for interrogation.

6 March 2016:

- A Palestinian youth was shot and injured with a rubber-coated steel bullet by Israeli occupying forces in the town of Al-Khader, to the south of Bethlehem.
- Occupying forces detained seven Palestinians from across the West Bank and summoned eight others for interrogation.

7 March 2016:

- Israeli occupying forces detained 20 Palestinians, including four children, during predawn raids in the West Bank.
- Occupying forces demolished a Palestinian-owned animal barn near the town of Halhoul, north of Al-Khalil, under the pretext of "construction without a permit".
- Occupying forces shot and injured a Palestinian man east of Al-Bureij refugee camp in Gaza.

8 March 2016:

- Israeli settlers razed large tracts of Palestinian land near the village of Kisan, east of Bethlehem.
- Israeli occupying forces shot and killed a Palestinian woman, Fadwa Ahmad Abu Teir (age 51), in the Old City area in Occupied East Jerusalem.
- Occupying forces detained 19 Palestinians, including four children, and summoned two others from across the West Bank.
- Occupying forces destroyed the interior walls of the family house of Ibrahim Skafi, who was killed by Israeli occupying forces in November 2015 in Al-Khalil.
- Occupying forces kidnapped a Palestinian and seized a vehicle near Al-Khalil.
- Fouad Abu Rajab al-Tamimi (age 21) was shot and killed by Israeli occupying forces near Salah al-Din Street in Occupied East Jerusalem.

9 March 2016:

- Israeli occupying forces shot and killed Abdel Malak Abu Kharoub (age 19) and Mohammed Jamal al-Kalouti (age 21) outside the New Gate in Jerusalem and critically injured Imad Abu Ali (age 57), a resident of Jerusalem's Old City.
- Occupying forces shot and killed a Palestinian child, Sami Amer (age 16), near the village of Al-Zawiya in Salfit.
- Occupying forces detained 23 Palestinians in overnight and predawn raids across the West Bank.

10 March 2016:

- Israeli occupying forces detained 33 Palestinians across the West Bank, mostly in Qalqilya, Nablus and Al-Khalil.

The incidents cited above offer just a glimpse of the vast number of unjust, unlawful actions being perpetrated daily against the Palestinian people by Israel, the occupying Power. The brutality being suffered by our people at the hands of this illegal occupation is intensifying tensions and hatred and making peace ever more elusive. We call on the international community to heed not only the calls by the Palestinian side but also the calls by others, including the appeal made by Mr. Piper that "our first priority must be about protection. Palestinians living under occupation need protection." Failing this, the occupying Power will continue to believe that it can act above the law, persisting with its illegal policies and practices

and accelerating the downward spiral that this illegal, destructive occupation has put both peoples on, with grave consequences for the prospects for Palestinian-Israeli peace and coexistence and for regional stability. We thus again call on the international community, particularly the Security Council, to mobilize the necessary political will to act to uphold its responsibilities in accordance with international law and the numerous relevant United Nations resolutions and to fulfil its unkept promises to the Palestinian people to bring an end to Israel's occupation and realize the inalienable rights of the Palestinian people, including to freedom and independence in their State of Palestine, with East Jerusalem as its capital.

This letter is in follow-up to our 577 previous letters regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, which constitutes the territory of the State of Palestine. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 4 March 2016 (A/ES-10/714-S/2016/212), constitute a basic record of the crimes being committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, acts of State terrorism and systematic human rights violations being committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators be brought to justice.

I should be grateful if you would arrange to have the text of the present letter distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Feda **Abdelhady-Nasser**
Chargé d'affaires, a.i.

United Nations S/2016/237

Security Council

Distr.: General
11 March 2016

Original: English

Letter dated 11 March 2016 from the Permanent Representative of Israel to the United Nations addressed to the President of the Security Council

I am writing to express Israel's strong condemnation of the ballistic missile test launches conducted in the last few days by Iran.

The test firing of ballistic missiles constitutes a gross violation of United Nations Security Council resolution 2231 (2015), which endorsed the nuclear agreement between Iran and the P5+1. The resolution restricts Iran from launching missiles designed to be capable of delivering nuclear weapons — the very same missiles that Iran test fired this week. The development of ground-to-ground missiles with nuclear warhead capability calls into question Iran's intentions to comply in full with the nuclear agreement.

These tests constitute a dangerous precedent after the "Implementation day" of the nuclear agreement.

The range of these missiles covers all of Israel, and senior commanders of the Iranian Revolutionary Guards made it clear in statements to the media that some of these missiles are in fact intended for Israel.

Brigadier General Amir Ali Hajizadeh was quoted as saying: "The reason we designed our missiles with a range of 2,000 km is to be able to hit our enemy the Zionist regime from a safe distance."

According to Iran's semi-official news agency, the words "Israel must be wiped off the face of the earth" were written on the side of the missiles. Such a message constitutes a flagrant threat against the State of Israel. The Security Council must not stand by in silence when one State member of the United Nations calls for the annihilation of another Member State.

Iran does not only pose a danger to Israel from a "safe distance"; it uses proxies to threaten Israel on many fronts. A senior commander of the Islamic Revolutionary Guard Corps Hossein Salami disclosed to Iranian media that Hezbollah, a recognized terrorist group and an Iranian proxy, possesses more than 100,000 missiles. This declaration is further proof of the role played by Iran's Revolutionary Guards in the Hezbollah military build-up, in clear violation of United Nation Security Council resolutions 1701 (2006) and 1559 (2004). It also attests to the destabilizing role of Iran in the region.

Iran continues to disregard its obligations to the international community and to develop its aggressive capabilities. This latest provocation makes it clear that the "smile campaign" of the current regime is nothing more than a smoke screen to disguise the real intentions of the Ayatollah regime.

Iran's ballistic missile program must be stopped.

I call on you to respond firmly and decisively to these Iranian violations and provocations.

I should be grateful if you would have the present letter distributed as a document of the Security Council.

(*Signed*) Danny **Danon**
Ambassador
Permanent Representative

United Nations S/2016/238

Security Council

Distr.: General
15 March 2016

Original: English

United Kingdom of Great Britain and Northern Ireland: draft resolution

The Security Council,

Recalling its resolution 1970 (2011) and all its subsequent resolutions on Libya,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and national unity of Libya,

Taking note of the report of the Secretary-General on the United Nations Support Mission in Libya (UNSMIL) (S/2016/182),

Expressing its support for the ongoing efforts of UNSMIL and the Special Representative of the Secretary-General to facilitate a Libyan-led political solution to the challenges facing Libya,

Recalling resolution 2259 (2015) which endorses the Rome Communiqué of 13 December 2015 to support the Government of National Accord as the sole legitimate government of Libya, that should be based in the capital Tripoli,

Reiterating its support for the full implementation of the Libyan Political Agreement of Skhirat, Morocco signed on 17 December 2015 to form a Government of National Accord consisting of the Presidency Council and Cabinet supported by the other institutions of state including the House of Representatives and State Council, and *welcoming* the endorsement in principle of the Libyan Political Agreement by the House of Representatives on 25 January 2016,

Recognizing the importance of continued inclusiveness and *strongly encouraging* all parties in Libya to be part of and engage constructively in good faith with the Agreement,

Encouraging the Government of National Accord to finalize interim security arrangements for stabilizing Libya as a critical step towards tackling Libya's political, security, humanitarian, economic and institutional challenges and to combat the rising threat of terrorism,

Reiterating its request that all Member States fully support the efforts of the Special Representative of the Secretary-General and work with the Libyan authorities and UNSMIL to develop a coordinated package of support to build the capacity of the Government of National Accord, in line with Libyan priorities and in response to requests for assistance, and *further reiterating* its call upon all parties to

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cooperate fully with the activities of UNSMIL, including taking necessary steps to ensure the security and unhindered movement for the UN and associated personnel,

Recognizing in the current circumstances, the need for a short extension of the mandate of UNSMIL, to enable the Mission to continue to assist the Presidency Council in further work in establishing the Government of National Accord, that should be based in the capital Tripoli, and implementing the Libyan Political Agreement,

Recalling its determination in resolution 2213 (2015) that the situation in Libya continues to constitute a threat to international peace and security,

1. *Decides* to extend until 15 June 2016 the mandate of UNSMIL, as set out in paragraph 12 of resolution 2238 (2015), under the leadership of the Special Representative of the Secretary-General, in full accordance with the principles of national ownership, and *recognizes* the need for UNSMIL to re-establish its presence in Libya, and the need to make the necessary security arrangements to this effect;

2. *Requests* the Secretary-General to report within 60 days following consultations with the Libyan authorities on recommendations for UNSMIL's support to the subsequent phases of the Libyan transition process and UNSMIL's security arrangements;

3. *Decides* to remain actively seized of the matter.

United Nations S/2016/239

Security Council

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Egypt: amendment to the draft resolution contained in document S/2016/235

Replace operative paragraph 2 with:

Requests the Secretary-General, when a particular troop-contributing country whose personnel are subject of allegations of sexual exploitation and abuse has not taken appropriate steps to investigate the allegations, has not held the perpetrators accountable, and has not informed the Secretary-General of its actions, to replace all military units and/or formed police units of the troop- or police-contributing country in the United Nations peacekeeping operation where the allegations arose with uniformed personnel from a different troop- or police-contributing country, as applicable and further requests the Secretary-General to ensure that the replacement troop- or police-contributing country has upheld standards of conduct and discipline and appropriately addressed allegations against or confirmed acts, if any, of sexual exploitation and abuse by its personnel.

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